

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
IN RE EVERGREEN ULTRA SHORT) No. 1:08-CV-11064-NMG
OPPORTUNITIES FUND SECURITIES)
LITIGATION) CLASS ACTION
)
)
_____)

NOTICE OF TENTATIVE SETTLEMENT

Lead Plaintiffs and Class Representatives International Brotherhood of Electrical Workers Local 98, NECA Electrical Workers Joint Apprenticeship Training Trust Fund, First Agency Account LP, Bricklayers and Allied Craftworkers Local 1 of PA/DE Health and Welfare Fund, and the Bricklayers Local 54 of Pennsylvania Supplemental Welfare Fund (collectively, “Plaintiffs”) and Evergreen Investment Management Co. LLC, Evergreen Investment Services, Inc., Wachovia Corporation, Dennis H. Ferro, Kasey Phillips, Evergreen Fixed Income Trust, Charles A. Austin, Shirley L. Fulton, K. Dunn Gifford, Leroy Keith, Jr., Gerald M. McDonnell, Patricia B. Norris, William Walt Pettit, David M. Richardson, Russell A. Salton III, Michael S. Scofield, Richard J. Shima, and Richard K. Wagoner (collectively, “Defendants”), by and through their respective undersigned counsel, hereby notify the Court that a tentative settlement has been reached between the parties in the above-captioned action.

Specifically, the parties have reached an agreement in principle to settle this litigation and executed a Memorandum of Understanding concerning the terms of a proposed settlement to resolve the action on a class-wide basis subject to court approval. The parties anticipate finalizing a formal Stipulation of Settlement and supporting papers to present to the Court for preliminary approval, pursuant to Fed. R. Civ. P. 23(e), by June 8, 2012.

DATED: May 15, 2012

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 15, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic Filing to all counsel of record.

s/ JACK REISE